

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Larry Warren,

NO. C 08-01311 JW

Plaintiff,

**ORDER GRANTING PLAINTIFF A
FINAL EXTENSION TO OBTAIN
REPRESENTATION OR FILE NOTICE
OF SELF-REPRESENTATION**

v.

City of Santa Cruz, et al.,

Defendants.

On June 18, 2008, the Court issued an Order Granting Motion for Withdrawal of Plaintiff's Counsel. (Docket Item No. 16.) The Court directed Plaintiff to file a Notice of Identification of Substitute Counsel or Notice of Self-Representation by August 18, 2008. To date, Plaintiff has not complied with the Court's June 18 Order.

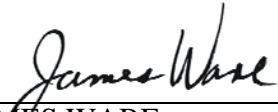
On September 15, 2008, the Court held a Case Management Conference. Neither Plaintiff nor counsel for Plaintiff attended the Conference. In light of Plaintiff's failure to appear and failure to notify the Court of the status of his representation, the Court expressed an intent to dismiss the action for lack of prosecution pursuant to Fed. R. Civ. P. 41(b) with a 10 day stay for Plaintiff to respond. (See Docket Item No. 24.)

On September 23, 2008, Plaintiff timely filed with the Court a request for extended time to file his Notice of Identification of Substitute Counsel or Notice of Self-Representation. (Docket Item No. 25.) Based on the representations made in Plaintiff's letter, the Court GRANTS Plaintiff **thirty (30)** additional days from the date of this Order to comply with the Court's June 18 Order.

1 Accordingly, on or before **November 17, 2008**, Plaintiff shall file a Notice of Identification
2 of Substitute Counsel or Notice of Self-Representation. Failure to do so will result in automatic
3 dismissal under Rule 41(b) with prejudice.

4 The Court sets a Case Management Conference for **December 1, 2008 at 10 a.m.** This
5 conference will be vacated and the action will be dismissed with prejudice if Plaintiff fails to comply
6 with any part of this Order.

7
8 Dated: October 16, 2008



JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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5 Larry Warren
6 2990 Soqule Ave.
7 Santa Cruz, CA 95602

8
9 **Dated: October 16, 2008**

Richard W. Wieking, Clerk

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11 **By: /s/ JW Chambers**
12 **Elizabeth Garcia**
13 **Courtroom Deputy**
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